IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE ELEVENTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

-

WRIT PETITION NO : 14822 of 2005

Between:

Male Ranga Reddy, S/o. M. Buchi Reddy,
R/o. H.NO. 1-2-270/88, Opp. Hitec bus Stand, Suryapet,
Nalgonda District.

..... PETITIONER

AND

1 The Joint Collector, Nalgonda, Nalgonda District.
2 The Revenue Divisional Officer, Suryapet Revenue Division,
Syuryapet, Nalgonda District.
3 The Mandal Revenue Officer, Suryapet Mandal, Suryapet, Nalgonda

District.
4 Yata Yadaiah, S/o. Y. Venkatesham,
R/o. Halia Village, Halia Mandal, Nalgonda District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to Issue a writ or any appropriate writ or writs or directions more particularly in the nature o writ of Mandamus declaring the inaction of the respondents No.1 and 2 pursuant to the representations of the petitioner dt. 19.7.2003, 3.2.2004 and 18.6.2004, as illegal, arbitrary and unconstitutional; and consequently direct the respondents no. 1 and 2 to conduct enquiry in pursuance of the representations, in the interest of justice.

Counsel for the Petitioner: MR.B.VIJAYSEN REDDY

Counsel for the Respondent Nos.1 to 3: GP FOR REVENUE

Counsel for the Respondent No.4: --

The Court at the admission stage made the following :

ORDER:

This writ petition is filed seeking to declare the inaction of the respondents 1 and 2 pursuant to the representations, dated 19-07-2003, 03-02-2004 and 18-06-2004 submitted by the petitioner as illegal and arbitrary, and consequently to direct the respondents 1 and 2 to conduct enquiry in pursuance of the said representations.

The petitioner claims to be the absolute owner of the land to an extent of Ac.1-04 ¾ guntas situated at Pillamarry village at present Rayanagudem Village, Suryapet Mandal, Nalgonda District, having purchased the same under a registered sale deed dated 04-06-1969 from Venkatesham, Yata Ramulu and Venkulu. Since the date of purchase he has been in possession and enjoyment of the said land by paying the land revenue regularly. While so, the fourth respondent obtained pattadar pass books and title deeds in respect of the land-in-question and on the strength of the same, he filed O.S.No.267 of 2002 on the file of the Junior Civil Judge, Suryapet, Nalgonda District for perpetual injunction. The petitioner has filed a written statement and contesting the said suit. Since the second respondent is the appropriate authority, the petitioner submitted representations dated

19-07-2003, 03-02-2004 and 18-06-2004 before him for cancellation of the pattadar passbooks and title deeds issued in favour of the fourth respondent and consequently to issue title deed in his favour. However, the respondents 1and 2 for the reasons best known to them, have not initiated any action so far. But, in the meanwhile, the fourth respondent is highhandedly interfering with the possession of the petitioner in respect of the land-in-question under the guise of the pattadar passbooks and title deeds obtained in his favour by wrongful means. Hence, the writ petition.

Heard both the learned counsel and perused the material on record.

In view of the facts and circumstances of the case, especially in view of the fact that the dispute with regard to the ownership, in between the petitioner and the fourth respondent, in respect of the land-in-question is pending before the Civil Court, there is no basis for apprehension of the petitioner that the respondents 1 and 2 would cancel the pattadar passbooks and title deeds in his favour. Therefore, I do not see any merit in the writ petition and the same is liable to be dismissed.

The writ petition is accordingly dismissed. No costs.

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(ELIPE DHARMA RAO, J)

Date:11-07-2005

ghn

To

1 The Joint Collector, Nalgonda, Nalgonda District.
2 The Revenue Divisional Officer, Suryapet Revenue Division, Syuryapet, Nalgonda District.
3 The Mandal Revenue Officer, Suryapet Mandal, Suryapet, Nalgonda

District.

4 Two Copies to G.P. for Revenue, High Court buildings,

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